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14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 RUBEN JUAREZ, an individual and  
17 ISELA HERNANDEZ, an individual

18 Plaintiffs,

19 v.

20 PRECISION VALVE & AUTOMATION,  
21 Inc., a corporation and DOES 1-20

22 Defendants.

23 **Case No.: 2:17-cv-03342**

24 **DECLARATION OF RUBEN JUAREZ  
IN SUPPORT OF PLAINTIFFS'  
OPPOSITION TO DEFENDANT  
PRECISION VALVE &  
AUTOMATION, INC.'S MOTION FOR  
SUMMARY JUDGMENT**

25 Date: October 1, 2018

26 Time: 1:30 p.m.

27 Ctrm: 5D, 5th Floor

28 Judge: Hon. Otis D. Wright II

## DECLARATION OF RUBEN JUAREZ

I, Ruben Juarez, hereby declare as follows:

1. I have personal knowledge of the facts stated herein and, if called to do so, could and would competently testify thereto under oath.

2. I worked with Space X from January 2012 to May or June 2014 as a programmer. While working with Space X, my job duties were changed to include both AOI programming and SMT programming. I reviewed the declarations attached to PVA Inc.'s motion for summary judgment including the declarations of the following: Jonathan Urquhart, Gregory E. Maxwell, Duc Q. Phan, Lynette Dhillon, and David Hwang and to my knowledge there was no MSDS binder. While employed at Space X, I was never given MSDS sheets, I did not have access to the MSDS sheets, and I had no chemical training either formal or informal to understand the MSDS sheets.

3. While working at Space X, I started to experience various health problems including headaches. Some doctor initially suspected I had vertigo and later suspected my aneurysm was the cause of my condition. Only after a successful surgery and subsequent checkups did I realize that I had recovered from the aneurysm. But because my symptoms persisted, I realized the aneurysm was not causing my symptoms. As a result of these various health problems including, but not limited to headaches, dizziness, and migraines, I filed a worker's compensation action on September 24, 2014. At this time, I guessed the cause of my injuries was lead solder wires and unknown chemicals used in the chemical cleaning baths at the Space X facility unconnected to the PVA 350, and I was unsure as to the cause of my health problems. I hoped my health problems such as headaches would resolve after I had the aneurysm surgery in 2013. However, these health problems did not resolve so I continued to seek

1 treatment, and in February of 2015, I saw Dr. Isaac Regev. Dr. Regev requested that I  
2 obtain the MSDS sheets for the lead solder wire and chemical cleaning baths. No  
3 doctor before Dr. Regev ever requested that I obtain any MSDS sheets or suspected my  
4 illness was related to chemical exposure. During this appointment, Dr. Regev never  
5 indicated he thought any of the chemicals I was working with were dangerous, and he  
6 did not tell me to stay away from any chemicals. He just requested the MSDS sheets  
7 for the lead wire and the unknown chemicals used in the cleaning baths and meet with a  
8 toxicologist. After this appointment, I called Space X and requested a list of chemicals  
9 in the baths and filters, but they did not provide me with a list so I called Francisco (a  
10 co-worker at Space X) in early March of 2015 and during the conversation, I do not  
11 remember who suggested this, but Francisco ended up giving me not only the list of  
12 chemicals involved in the cleaning baths and lead wire, but also the names of the  
13 chemicals that I worked with when programming PVA 350. Then, I emailed Space X  
14 on March 3, 2015 asking for the MSDS sheets that Francisco indicated that I worked  
15 with, and on March 3, 2015, Jane Malubag with Space X did not send me the MSDS  
16 sheets but indicated Space X's insurance would send them to my workers'  
17 compensation attorneys, and on March 12, 2015 she indicated that the MSDS sheets  
18 were forwarded to my attorney and insurance company. After this, I saw a toxicologist,  
19 Mr. Zlotolow M.D., and provided the MSDS sheets for review. The aneurysm created  
20 confusion and lead me to believe that my symptoms were associated with the aneurysm  
21 and subsequent surgery, but these symptoms did not resolve after the coiling surgery in  
22 2013. Also, I thought that maybe the lead electronic wires in filters or nearby chemical  
23 baths might be the source of my symptoms because I was more sensitive than others.  
24 Nobody else at Space X was getting sick so I did not think anyone had done anything  
25 wrong. Only after I reviewed the MSDS sheets did I realize that the solder wire was  
26 actually lead-free and the chemical used in the chemical baths is only isopropyl alcohol.

1       4. In October 2011, I traveled to PVA Inc., while working with EMI to undergo a  
2 4 day training to program the PVA Inc. machine. I was trained by PVA Inc. to put my  
3 head inside the PVA machine with the door open to check various spraying parameters  
4 on the circuit boards, operate and fine tune the fixtures inside the PVA machine, and  
5 check the chemical levels without the ventilation system being operational. Again in  
6 April 2012, I traveled to PVA Inc. as a Space X employee with John Pena to see if the  
7 PVA machines could spray various chemicals. Mr. Pena and I were at PVA Inc. for 2  
8 days, and during this time, PVA Inc. employees did not wear any safety gear. I always  
9 followed PVA Inc.'s exact training protocols while programming the PVA 350  
10 including their instructions to bypass systems to ensure I could open the door and  
11 examine the circuit boards and fixtures. Nobody at Space X ever told me the way I  
12 worked with the PVA 350 was dangerous. No other co-workers at Space X ever  
13 appeared to get sick while I was working there. The doctors never told me that the  
14 chemicals from the PVA 350 were making me sick.

15       5. I worked about 60 hours a week while working at Space X. As part of my job  
16 duties, I would work in the conformal coating room programming the PVA 350  
17 machine, at my work station next to the chemical baths, and I would clean the work  
18 station filters. I had additional duties such as ordering parts, and maintaining other  
19 equipment, and cleaning various parts.

20       6. The PVA 350 is a selective conformal coating machine. PVA 350 is not a  
21 "work cell." The PVA 350 is a standalone device, which is a mechanism or system that  
22 can perform its function without the need of another device, computer, or connection.  
23 In contrast, a work cell is a term used in the manufacturing industry for an arrangement  
24 of resources in manufacturing to improve quality, speed, and the costs of the processes.  
25 There were a lot of standalone devices at Space X other than the PVA 350. The PVA  
26 350 is known as a selective conformal coating machine, which means a user can

1 program the equipment to skip or avoid designated areas. Further, the PVA 350  
2 machine dispenses, sprays, and applies different chemicals on circuit boards. The PVA  
3 350 is not equipped with a positive or negative air pressure.

4       7. I was never provided the equipment manual and the manual was not  
5 available in the computer connected to the PVA 350. Since the PVA 350 is a  
6 standalone machine, the manual was not uploaded to the company network so I could  
7 not read the manual and it not in the computer. PVA Inc. specifically trained me to  
8 bypass the safety systems so the machine could be utilized as it was designed  
9 defectively and could not be utilized otherwise. The PVA 350 does a quick check at  
10 the start up or a “0” check. However, PVA Inc. trained users to bypass this system with  
11 the bypass key easily.

12       8. For years, I worked with the PVA 350 without any suspicion that Space X or  
13 PVA Inc. were doing anything wrong. I had no formal or informal chemical training,  
14 and I did not know about the toxicity of the chemicals I was working with. Also, I did  
15 not know the PVA 350 was defective. I thought my symptoms were caused by my  
16 aneurysm or because I was just unusually sensitive to the chemicals in the chemical  
17 baths.

18       9. Now, I believe Space X originally began using the chemicals Humiseal before  
19 I worked there as the machine was purchased before my time and the chemical  
20 containers only changed once, which was set up by Space X with the assistance of PVA  
21 Inc. in the end of 2011/2012. A new chemical, which I later found out was Arathane  
22 was introduced by David Hwang to replace the original chemical, which I later found  
23 out was Humiseal. PVA Inc. was aware of this transition, and David Hwang indicated  
24 he purchased parts to the PVA 350 to spray Arathane. I had no formal or informal  
25 chemistry training so I was not allowed to mix these chemical compounds. Although I  
26 would sometimes stir a single container with chemicals to get the proper viscosity to be  
27

1 placed in a machine to flush the lines and make sure the machines were spraying the  
2 correct amount of material, I would not mix multiple chemicals and definitely would  
3 not have been involved in creating new compounds. Francisco was the operator of the  
4 PVA 350. Mixing the chemicals was part of Francisco's job duties. David Hwang also  
5 mixed the chemicals since he was the main person to substitute Humiseal to Arathane.  
6 I am not the process engineer or materials engineer, and those were the individuals that  
7 would have mixed the chemicals. Per David Hwang's instructions and with the support  
8 of PVA Inc, I only installed the separate dispensing canisters and materials lines, and I  
9 did not mix any chemical compounds.

10 10. I was never provided with a Standard Operating Procedure ("SOP") for  
11 programmers for any assembly area in Space X.

12 11. I declare under penalty of perjury under the laws of the State of California  
13 that the foregoing is true and correct.

14 Executed this 9th day of September, 2018, at Los Angeles, California.

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17   
18 RUBEN JUAREZ